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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

GINGER KATHRENS, THE CLOUD)	
FOUNDATION,)	
)	
Plaintiffs,)	Case No. 1:18-CV-00125-SPW-TJC
)	
v.)	
)	
RYAN ZINKE, Secretary Department)	Joint Motion to Cancel Proceedings
of Interior; BRIAN STEED, Acting)	and Stay Case
Director, Bureau of Land)	
Management; WENDY WARREN,)	
Acting Field Manager Bureau of Land)	
Management, Billings Field Office,)	
Defendants. ¹)	

¹ Wendy Warren is automatically substituted as a party pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

The parties, through their counsel, hereby jointly move to cancel the preliminary injunction hearing scheduled for September 28, 2018, and vacate the portion of the August 31, 2018 order (“Order”) allowing the parties to provide additional briefing on Plaintiffs’ motion for a preliminary injunction. ECF No. 19. The Order granted Plaintiffs’ Motion for a Temporary Restraining Order and enjoined the U.S. Bureau of Land Management (“BLM”) from proceeding with a gather of horses from the Pryor Mountain herd pending a hearing on Plaintiffs’ Motion for a Preliminary Injunction scheduled for September 28, 2018. ECF No. 19. In light of the Order, BLM will not proceed this fall with the proposed removal identified in the Decision Record dated August 3, 2018. As a result, the parties believe that it is in their best interest and the interest of judicial economy to stay this litigation for 60 days to allow the parties to determine how best to proceed in the litigation. Under such circumstances, a stay is appropriate in light of the Court’s inherent authority “to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. North American Co.*, 299 U.S. 248, 254 (1936). *See also Clinton v. Jones*, 520 U.S. 681, 706-07 (1997) (“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.”).

Accordingly, the parties ask that this Court issue an order canceling the preliminary injunction hearing and associated briefing and staying this case until

November 5, 2018. At that time, the parties propose filing a joint status report to inform the Court of the status of this case and to propose further proceedings as necessary.

Respectfully submitted on this 7th day of September, 2018.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court via the CM/ECF system, which will provide service to counsel for the parties.

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